THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2717 OF 2007

DATED 23rd FEBRUARY, 2007

Between

Kosuru Venkata Subba Rao

... Petitioner

AND

The District Collector, Krishna District, at Machilipatnam and another.

.... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2717 OF 2007

ORDER:

The petitioner herein allegedly purchased land admeasuring Acs.0.43 cents in R.S.Nos.63/1A, 63/1C, 63/1D, 63/1E and 63/1F from Garikapati Sriramulu under registered sale deed, dated 28.01.1986. Alleging that the second respondent conducted survey and tried to take possession forcibly without following due process of law, this writ petition is filed seeking a direction to the respondents not to dispossess the petitioner.

After getting instructions, learned Assistant Government Pleader for Revenue submits that as per the fair Adangals of sub-division numbers in R.S.No.63, the lands are classified as Grama Kantham and that the survey was conducted. He, however, does not dispute the possession of the petitioner.

Therefore, this Court observes that unless and until proper enquiry is conducted after giving notice, the petitioner cannot be dispossessed or removed from the land without due process of law.

The writ petition is accordingly disposed of. No costs.

(V.V.S.RAO,J)

23.02.2007.
pln